

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION**

SCOTTY LEE SHERMAN, JR.,	:	
	:	
Plaintiff,	:	Case No. 4:22-CV-00131-CDL-MSH
	:	
v.	:	
	:	
CORRECTHEALTH MEDICAL SERVICES, <i>et al.</i>,	:	
	:	
Defendants.	:	

ORDER

Pro se Plaintiff Scotty Lee Sherman, Jr., a former inmate at the Muscogee County Jail in Columbus, Georgia, filed a 42 U.S.C. § 1983 complaint. ECF No. 1. On March 14, 2023, Plaintiff was ordered to recast his complaint and given instructions on how to do so. ECF No. 7. Plaintiff was given fourteen (14) days to respond and was informed that failure to comply would result in dismissal of his action. *Id.* Plaintiff failed to comply with the Court's order.

Therefore, on April 4, 2023, the Court notified Plaintiff that he failed to respond to an order of the Court. ECF No. 8. Plaintiff was ordered to show cause why this action should not be dismissed for failure to comply with the Court's order. *Id.* The Court unambiguously informed Plaintiff that this action would be dismissed if he failed to file his amended complaint as ordered. *Id.* Plaintiff was given fourteen (14) days to respond and he has failed to do so.

Due to Plaintiff's failure to follow the Court's Orders and failure to prosecute this

action, the case is hereby **DISMISSED WITHOUT PREJUDICE**. Fed. R. Civ. P. 41(b); *Brown v. Tallahassee Police Dep't*, 205 F. App'x 802, 802 (11th Cir. 2006) (citing Fed. R. Civ. P. 41(b) and *Lopez v. Aransas Cty. Indep. Sch. Dist.*, 570 F.2d 541, 544 (5th Cir. 1978)) (“The court may dismiss an action sua sponte under Rule 41(b) for failure to prosecute or failure to obey a court order.”).

SO ORDERED, this **26th** day of **April, 2023**.

S/Clay D. Land

CLAY D. LAND, JUDGE
UNITED STATES DISTRICT COURT